

June 25, 2007

Ms. Amy M. Bennett
Standards Coordinator
Bureau of Water
South Carolina Department of Health
and Environmental Control
2600 Bull Street
Columbia, SC 29201

Re: South Carolina Regulation 61-68, *Water Classification and Standards* and South Carolina Regulation 61-69, *Classified Waters*

Dear Ms. Bennett:

The following comments are provided on behalf of the South Carolina Manufacturers Alliance (SCMA) Environmental Committee. Proposed changes are being conducted as part of an effort that SCDHEC is undertaking to amend specific sections of R.61-68, *Water Classifications and Standards*, and sections of R.61-69, *Classified Waters*.

The SCMA, with over 115 members, represents a very diverse group of manufacturers with interests in South Carolina. Many member companies are directly impacted by these water regulations. SCMA understands that SCDHEC must review and revise South Carolina's existing water quality standards regulations every three years in order to comply with Section 303(c)(2)(B) of the Federal Clean Water Act (CWA).

SCMA is commenting in response to the Department's notice to extend the drafting period for R. 61-68 Water Classifications and Standards and R. 61-69 Classified Waters. Because SCMA's member companies are affected by the provisions of these regulations, SCMA wishes to participate in any stakeholder groups that are convened to review and discuss the changes the Department is planning.

The Department noticed its intent to review and, where appropriate, make changes to revise and/or clarify the regulatory language regarding NPDES permitting and the protection of surface waters for drinking water purposes. In particular, SCMA believes it is appropriate that modifications to those portions of the Source Water Protection Plan that are used to impose limitations in NPDES permits should be subjected to the formal regulatory development process. There are several aspects of the current implementation that merit critical review, including:

1. Application of the source water protection area determined by high flow conditions (TOT10) to the regulation of continuous NPDES discharges.

2. The calculation of permit limits using drought flow conditions (7Q10) at the upstream boundary of the source water protection area.

Continued from page 1

3. Using these same highly conservative assumptions to determine reasonable potential.

Several SCMA members have made their opinion known to our committee that the three aspects mentioned above, when taken together, result in burdensome requirements on dischargers without really providing any additional protection to drinking water intakes downstream. As always, SCMA appreciates the opportunity to comment on this notice of drafting, and will be happy to provide formal written comments as appropriate during the review process.

Thank you for this opportunity to provide comments in this very important rule making process. If you have any questions, please feel free to call me at (803) 799-9695.

Sincerely,

Sara N. Hopper
Director of Government Relations